

From: Ballotpedia updates@info.ballotpedia.org
Subject: Hall Pass: Your Ticket to Understanding School Board Politics, Edition #76
Date: September 6, 2023 at 4:02 PM
To: ruthann.elliott@boyle.kyschools.us

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Ballotpedia's Hall Pass

Keeping you up to date on school board politics and education policy

Welcome to Hall Pass

September 06, 2023

Welcome to *Hall Pass*, a newsletter written to keep you plugged into the conversations driving school board politics and governance.

In today's edition, you'll find:

- On the issues: The debate over notifying parents about social transitions in schools
- Share candidate endorsements with us!
- School board filing deadlines, election results, and recall certifications
- Two school board members recalled in West Bonner County School District, Idaho
- Extracurricular: education news from around the web
- Candidate Connection survey

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On the issues: The debate over notifying parents about social transitions in schools

In this section, we curate reporting, analysis, and commentary on the issues school board members deliberate when they set out to offer the best education possible in their district. Missed an issue? Click [here](#) to see the previous education debates we've covered.

State and local policies differ on whether school officials and teachers must notify parents if their child is socially transitioning their gender identity (such as using different pronouns or names) in the classroom.

Connie Walden writes that gender transitioning is a gradual process of experimentation and self-discovery. Walden says students should be able to tell their parents about their gender identities when they feel comfortable. Robert Pondiscio writes that schools do not have the right to keep knowledge, especially information related to a child's health and well-being, from parents—and that schools will undermine institutional trust if they remove parents from gender decisions.

[Should Schools Tell Parents Their Child Identifies as Transgender?](#) | Connie Walden, *New York Times*

"Trans youth often wait to come out to their parents simply for need of space and time to understand their identities. Transition isn't a flick of a switch; it's a complex, gradual, weaving journey of identity. My own transition started in high school. At what stage between my experimenting with makeup now and then to asking specific friends to call me Connie would I have officially, suddenly, socially transitioned? When should I have been robbed of the right to come out to my own family, to decide when to include them in my own process? I recognize the pain of well-meaning parents who feel that their child kept such a large "secret" from them. Yet with transition being a gradual process of experimentation, there is no big secret. There's only kids slowly figuring out who they are, like all other kids. Maybe the demand of these parents, that their children must treat them as "safe spaces" to be told all, is itself what makes these kids feel unsafe."

[The hill that public education dies on: Transgender policies' utter contempt for parents](#) | Robert Pondiscio, *Fordham Institute*

It will be argued that these policies are rarely enacted, but that's beside the point. A government-run institution granting itself permission to withhold life-changing information from parents about their own children is both profoundly alarming and a massive overreach. These policies effectively demolish parental authority and allow the state to assume a role for which it has no rightful or reasonable claim. There is simply no credible evidence to support the belief that parents do not have in mind the best interest of their transgender children. ... Indeed, there are no words adequate to capture this level of institutional hubris. If teachers in our nation's public schools wish to restore and maintain Americans' trust in education, they must be willing to acknowledge a simple fact about their profession: They're not free agents, not activists or ideologues, but government employees with no reason or right to usurp parental authority. A public education system that ignores or overrules the fundamental role of parents, placing the state in a position of superior authority over children will not be accepted for long. If this is the hill public education chooses to die on, don't be surprised if it gets its wish."

Share candidate endorsements with us!

As part of our goal to solve the [ballot information problem](#), Ballotpedia is gathering information about school board candidate endorsements. The ballot information gap widens the further down the ballot you go, and is worst for the more than 500,000 local offices nationwide, such as school boards or special districts. Endorsements can help voters know more about their candidates and what they stand for.

Do you know of an individual or group that has endorsed a candidate in your district?

Click [here](#) to respond!

School board update: filing deadlines, election results, and recall certifications

Ballotpedia has historically covered school board elections in about 500 of the country's largest districts. We're gradually expanding the number we cover with coverage on the more than 12,000 districts with elected school

cover with our eye on the more than 15,000 districts with elected school boards.

Upcoming school board elections

New Hampshire

Fourteen seats on the [Manchester School District](#) school board in New Hampshire are up for election this year, with a primary on **Sept. 19**. The general election is scheduled for Nov. 7. We'll bring you more about these elections in a future issue.

November elections

Nov. 7 is the biggest election date of the year, and voters across the country will decide state and local races—including for school boards (subscribe to our [Daily Brew](#) newsletter for Ballotpedia's coverage and analysis of elections up and down the ballot). Throughout the fall, we'll preview the most interesting and pivotal school board elections happening that day. Let's step back and take a look at the big picture.

We're covering school board elections in the following **16** states on Nov. 7:

School board elections on Nov. 7, 2023

This table shows the 16 states where Ballotpedia is covering school board elections on Nov. 7, 2023, and associated upcoming filing deadlines. Dates shaded in blue are upcoming.

State	Filing deadline
Colorado	September 1
Idaho	September 8
Iowa	September 21
Kansas	June 1
Kentucky	June 6
Minnesota	August 15
Mississippi	September 6
New Hampshire	July 21
New Jersey	July 31
New Mexico	August 29

North Carolina	July 21
Ohio	August 9
Pennsylvania	August 1
Texas	August 21
Virginia	June 13
Washington	May 19

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In seven of those states—Colorado, Kansas, Minnesota, Ohio, Pennsylvania, Virginia, and Washington—we are covering *all* school board elections on Nov. 7. We'll be bringing you detailed coverage of those elections.

Two school board members recalled in West Bonner County School District, Idaho

ICYMI, on Aug. 29, voters in the [West Bonner County School District](#) in Idaho recalled two school board members—Zone 4 Representative Keith Rutledge and Zone 2 Representative Susan Brown. Rutledge was the board's chairman and Brown was vice chairman. Rutledge, Brown, and board member Troy Reinbold, who was not included in the recall, comprised a conservative voting bloc on the five-member board.

Unofficial results from the Bonner County Elections Department showed a 63-37% majority voted in favor of recalling Rutledge, and a 66-34% majority voted in favor of recalling Brown. A majority of voters had to cast ballots in favor of each recall for them to be successful.

West Bonner County School District is located near the top of the Idaho panhandle. In the 2020 presidential election, Bonner County backed Donald Trump (R) over Joe Biden (D) 63.9% to 33.1%.

Due to a unique provision in Idaho law, a second condition had to be met for the two members to be recalled: **the number of yes votes cast against each member had to be higher than the number of votes cast in favor of that member in the last election.**

At least 245 votes were needed against Rutledge for the recall to be successful and at least 177 were needed against Brown. Unofficial results

showed 762 voters favored recalling Rutledge, and 624 voters supported recalling Brown.

Bonner County Clerk Michael Rosedale said, “The voter turnout was huge. It was almost as if it was a presidential election.”

Rutledge and Brown will stay in office until the recall results are certified on Sept. 7.

On Aug. 31, the board called a special meeting for Sept. 1, and released an agenda that included items such as “Reorganization of the Board,” “Dissolve Current Board of Trustees,” and “Turn Meeting Over to the Superintendent.” The agenda also included potentially changing Superintendent Branden Durst’s contract to, among other things, allow him to pursue speaking engagements or consulting without the board’s approval. Hours before the special meeting, 1st Judicial District Magistrate Judge Lori Meulenberg issued an injunction that prohibits trustees from making any structural changes to the board until Sept. 7. Priest River Police Chief Drew McLain delivered the injunction to the room where the board had gathered and said the meeting was canceled.

Board members Margaret Hall and Carlyn Barton said they were not told about the special meeting or the agenda until the evening of Aug. 31 and said “the timing of this meeting is highly inappropriate.”

Rutledge, Brown, and Reinbold voted to hire Durst in June, while Hall and Barton voted against doing so. Durst is a former Democratic state lawmaker who joined the Republican Party in 2020. Durst ran for state Superintendent of Public Instruction in 2022, losing in the Republican primary.

On Aug. 16, the Idaho State Board of Education said the district was at risk of violating state law because Durst has not worked in a school full time for at least four years—a requirement for superintendents. The board voted on Aug. 22 to direct Durst to apply for a provisional certificate with the state board that would allow him to continue serving as superintendent.

The remaining members of the five-member board will have 120 days to appoint replacements to fill the vacancies. After 120 days, the county commissioners can fill them. The appointees will serve out the remainder of the terms, which expire in January 2026.

Here’s a timeline of events that led to the recall election:

- Brown and Rutledge were first elected to the board in 2021. In June 2022, the board unanimously approved an English Language Arts curriculum from McGraw-Hill.
- On Aug. 24, 2022, the school board voted 3-1 to rescind the curriculum because of concerns about social-emotional learning. Brown and Rutledge voted to rescind.
- In June 2023, community members led by the group *Recall, Replace, Rebuild*, a local political action committee, launched the effort to recall Brown and Rutledge. Recall supporters had to collect 243 signatures against Rutledge and 180 against Brown to get the recall on the ballot.
- On June 30, Bonner County Clerk Michael Rosedale announced the supporters had gathered 337 verified signatures against Rutledge and 243 against Brown, allowing the recall elections to be scheduled.

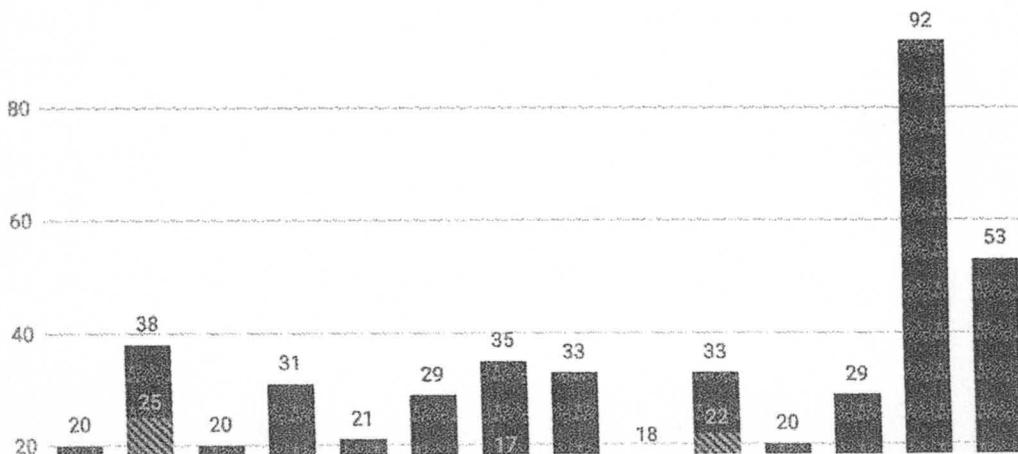
The petitions against Rutledge and Brown said their vote to rescind the curriculum cost the district money because it had to pay to send the curriculum materials back. The petition also said the two board members didn't respect the rights of constituents and the views of other board members.

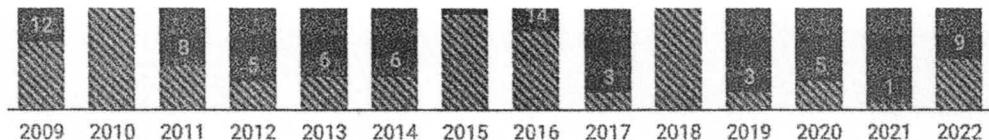
In their official responses, Rutledge and Brown said recall supporters wanted to prevent "the whole country from seeing how a conservative led school district can improve poor educational outcomes and give our children a better chance at actual success."

Rutledge and Brown are the **fifth** and **sixth** school board members recalled this year. From 2009 to 2022, an average of 10 school board members were recalled each year.

School board members recalled between 2009-2022

■ Recall efforts ■ Officials recalled





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So far this year, Ballotpedia has identified [219 recall efforts](#) against 325 officials. Recalls for 37 officials made the ballot, and 28 were successfully recalled. Recall elections against another 31 officials will occur later this year. Click [here](#) to read our mid-year recall report, which covers recall activity from the start of the year through the middle of June.

Extracurricular: education news from around the web

This section contains links to recent education-related articles from around the internet. If you know of a story we should be reading, reply to this email to share it with us!

- [4 ways to steer around bus driver shortages | K-12 Dive](#)
- [How to Address the Digital Threats That Students Face in Online Education | EdTech](#)
- [California's Democratic leaders escalate fights with conservative school boards | NBC News](#)
- [New Text law allowing chaplains to counsel school kids may draw boards deeper into culture wars | San Antonio Express-News](#)
- Some Kentucky lawmakers want to consider splitting up JCPS. Could that really happen? | [Courier Journal](#)
- [Football coach who won lawsuit against public school for on-field prayers returns to gridiron | Associated Press](#)
- [What can Florida school vouchers pay for? New lists are raising eyebrows. | Tampa Bay Times](#)

Take our Candidate Connection survey to reach voters in your district

CANDIDATE CONNECTION

Today, we're taking a look at responses from two candidates facing off on Nov. 7 in the nonpartisan general election to represent the Varina District of the Henrico County Public Schools in Virginia. Voters will decide between incumbent Alicia Atkins, who was first elected in 2019, and Domonique Pervall.

Atkins received endorsements from the Henrico County Democratic Party and Melissa Dart, a former Henrico County Public Schools school board candidate. As of this writing, we have not identified any endorsements for Pervall. To send us additional endorsements, click [here](#).

Here's how Atkins answered the question, "**What are the main points you want voters to remember about your goals for your time in office?**"



- "Mrs. Atkins continues working tirelessly as a servant leader to improve educational opportunities for children, empower others, and be a champion for a better environment with successful outcomes. I'm running for a second term for the Henrico County School Board seat representing the Varina District. Visit aliciaatkins.org to learn more about my campaign, achievements, awards, and other efforts to give back to our communities.
- Mrs. Atkins firmly believes that all children deserve an opportunity to reach their full potential. She is a mom with a victorious spirit dedicated to public service. As a California Coast University graduate and Highland Springs High School alum, her servant leadership includes (but is not limited to) serving as a Henrico County School Board Member (<https://henricoschools.us/school-board/varina-district/>), VCU Leadership for Empowerment and Abuse Prevention Trainer, and participating on multiple boards and committees.
- Donate today to help Mrs. Atkins win the 2023 School Board election.

Please donate visiting <https://aliciaatkins.org/campaign-2023> or mail your donation to Friends of Alicia Atkins, PO Box 754, Sandston, VA 23150.”

Click [here](#) to read the rest of Atkins' responses.

Here's how Pervall answered the question, “**What are the main points you want voters to remember about your goals for your time in office?**”



- “I fight for the youth my voice is a instrument for change and my key focus in making sure the district I represent is successful.
- I'm not on the sidelines I'm in the game with our youth reassuring each child I'm coach Dominique Pervall fighting for inclusiveness.
- Remember Pervall for change. I'm on a mission to ensure educational excellence is the blueprint for our district.”

Everyone deserves to know their candidates.

However, we know it can be hard for voters to find information about their candidates, especially for local offices such as school boards. That's why we created **Candidate Connection**—a survey designed to help candidates tell voters about their campaigns, their issues, and so much more.

Click [here](#) to read the rest of Pervall's responses.

In the 2022 election cycle, **6,087** candidates completed the survey.

If you're a school board candidate or incumbent, click [here](#) to take the survey. And if you're not running for school board, but there is an election in your community this year, [share the link](#) with the candidates and urge them to take the survey!

The survey contains over 30 questions, and you can choose the ones you feel will best represent your views to voters. If you complete the survey, a box with your answers will display on your Ballotpedia profile. Your responses will also appear in our [sample ballot](#).

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- Here's who approves K-12 curriculum in the 50 states
- Extracurricular: education news from around the web
- Candidate Connection survey

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On the issues

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According to the [most recent data](#) from the [National Center on Education Statistics](#) (NCES), the percentage of male teachers in U.S. public schools dropped from 33% in 1980 to 23% in the 2020-2021 school year. Today, we'll examine arguments about whether the trend is cause for concern.

Richard Reeves writes that fewer male teachers is a problem and that positive male role models are important for children's academic achievement, especially for boys. Reeves says male teachers are more likely to serve as mentors and lead after-school programs and extracurricular activities.

Ryan Fan writes that male teachers should not be expected to serve as mentors or father-like figures for their students and that both men and women can be positive role models. Fan says there is no evidence suggesting teachers' gender affects education outcomes. He says the problems facing education are systemic and not tied to teacher demographics.

Head of the Class | Richard Reeves, *No Mercy / No Malice*

"I do think it is a problem and a policy concern. The emptying out of men from our schools is bad news for at least three reasons. First, having a male teacher improves educational outcomes, especially in certain subjects like English (where boys are lagging furthest behind girls). One study suggests that if half the English teachers in middle schools were men the achievement gap in reading between girls and boys would fall by approximately a third — a massive effect. ... Second, male teachers are much more likely to take on after-school activities, especially coaching sports teams. A recent Brookings study finds a gender pay gap among K-12 teachers of about \$2,200 a year in favor of men. The difference in base pay is just \$700 a year. Most of the gap, about \$1,200 a year, is explained by the extra pay men get from doing extracurricular work. ... Third, the men in our schools are mentors to both male and female students. A recent study published by the National Bureau of Economic Research found that having an informal mentor in high school improved educational performance across a range of measures; most impressive was a 9% increase in college attendance."

Do We Really Need More Male Teachers? | Ryan Fan, Medium

"The stereotype is 'these kids don't have positive male figures in their lives,' which is true in some cases but not necessarily true in every case, and I find it a logical fallacy to conclude that because some students don't have positive male role models in their lives, a male teacher is supposed to fill that role. I saw a colleague and good friend, who my supervisors didn't think was doing what he was supposed to do, once get told 'you could be a positive Black male figure in these kids' lives, but you're not!' That's just way too much of a gap and too much pressure to put on someone. We're just teachers. The sudden need to become a positive father-like figure is a bit too much, and I don't think it's very fair either. And research from the Economics of Education Review found there is no empirical evidence to support teacher gender having an impact on student academic performance across 15 OECD countries. The bigger role models for children are peers or relatives over teachers. ... More male teachers is not a band-aid for education's problems. These problems are all very systemic, but when I think back to my teachers it wasn't the gender of the teacher that ever made me connect with them at a deeper level."

Share candidate endorsements with us!

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Washington	May 19

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Here's who approves K-12 curriculum in the 50 states

Recently, debates over what gets taught in public school classrooms have increasingly reflected national partisan concerns—so much so that governors and even presidents have waded into the curriculum controversies.

Consider two examples involving prominent governors.

In 2022, Florida Gov. Ron DeSantis (R) signed legislation requiring school districts to make public all instructional material, required readings, and library books, while also allowing parents to file formal objections to material they find unacceptable.

In California, Gov. Gavin Newsom (D) this year said he would fine the Temecula Unified School District after the board, citing references to Harvey Milk, the first openly gay man elected to public office in California, voted to reject an elementary school social studies curriculum. On Sept. 7, the California Assembly voted to send AB 1078 to Newsom's desk. The bill would prohibit school districts from rejecting “instructional materials that

accurately portray the cultural and racial diversity of our society. Newsom has publicly backed the bill but has not signed it as of this writing.

These examples provide a glimpse into the *political* conflicts over curriculum. But what do state laws actually say about who sets public school curricula?

To answer this question, we searched our database for state-specific information about curriculum authority, requirements, and statutes in every state. Depending on the state, the law directs state-level entities—like state boards of education—or local districts or schools to develop and approve curriculum. In some cases, state and local entities may both develop and approve curriculum.

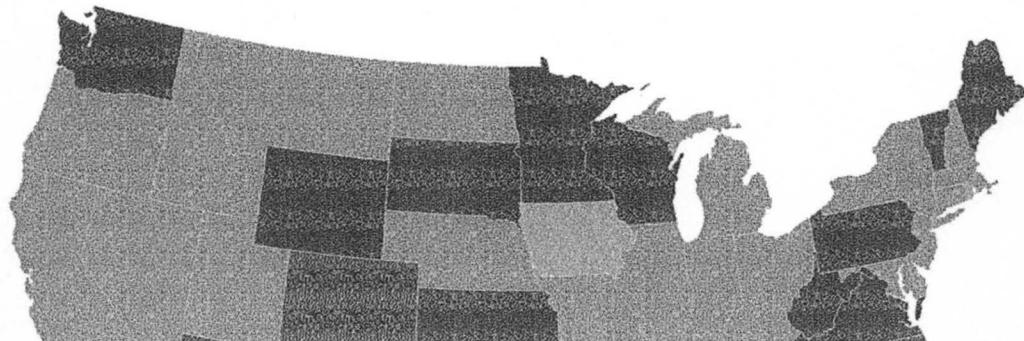
- In 45 states, a local entity (such as school districts and local schools) develops curriculum.
- In Colorado, North Carolina, and Rhode Island, state-level entities (such as state boards of education and state education agency leaders) develop curriculum.
- In South Carolina and Texas, both state-level entities and local entities develop curriculum.

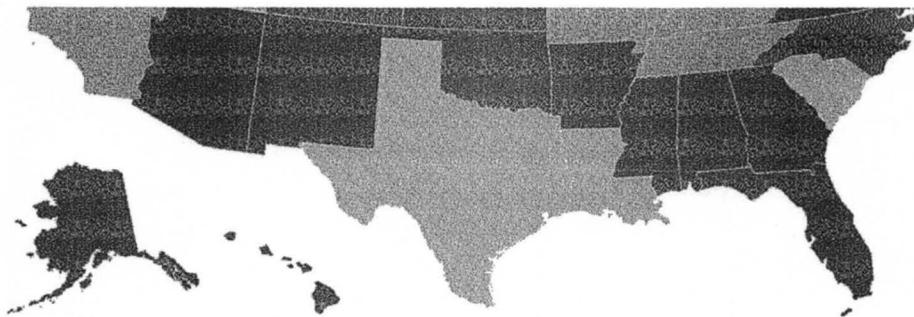
When the law gives state-level entities the responsibility to develop curricula, the law can either *recommend* or *require* that local schools or districts use the state-developed curriculum in the classroom.

The map below shows the states that *recommend* districts to use state-developed curriculum, the states that *require* districts to use state-developed curriculum, and the states that *allow* local schools or districts to develop curriculum without state recommendations. Five states use a combination of state recommendations, state requirements, and local authority. Those states—Iowa, Louisiana, Rhode Island, South Carolina, and Texas—are represented on the map as "Other."

State K-12 curriculum authority

■ Local districts ■ Other ■ State recommendation ■ State requirement





Source: Ballotpedia

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- Iowa grants authority to local entities to develop curriculum but requires some state-level core curriculum items be met.
- Louisiana grants authority to local entities to develop curriculum but requires approval of local curriculum by the state board of education.
- Rhode Island develops curriculum at the state level and maintains some requirements and some recommendations for local districts to follow.
- South Carolina and Texas develop some state board of education curriculum requirements and grant some local discretion to schools and districts for curriculum development.

Here are a few examples from our database:

In Oklahoma, where local districts approve school curriculum, state law [§ 70-11-103.6a-F](#) says:

School districts shall exclusively determine the instruction, curriculum, reading lists and instructional materials and textbooks, subject to any applicable provisions or requirements as set forth in law, to be used in meeting the subject matter standards. School districts may, at their discretion, adopt supplementary student assessments which are in addition to the statewide student assessments.

In Missouri, where the state board of education makes recommendations about curriculum to local districts, state code [§ 160.514\(5\)](#) says:

The state board of education shall develop written curriculum frameworks that may be used by school districts. Such curriculum frameworks shall incorporate the academic performance standards adopted by the state board of education pursuant to subsection 1 of this section. The curriculum frameworks shall provide guidance to school districts but shall not be mandates for local school boards in the adoption or development of written

curricula as required by subsection 6 of this section.

Depending on the state, K-12 curriculum may also reflect or incorporate state content standards—educational learning and achievement goals that state education officials either require or recommend that local schools satisfy through the curriculum.

Click [here](#) to learn more about K-12 curriculum authority, requirements, and statutes in the states.

Extracurricular: education news from around the web

This section contains links to recent education-related articles from around the internet. If you know of a story we should be reading, reply to this email to share it with us!

- [Virginia Went to War Over History. And Students Actually Came Out on Top.](#) | *Politico*
- [Three big questions, asked and answered, about Chicago's move to an elected school board](#) | *WBEZ Chicago*
- [Why These Districts Are Suing to Stop Release of A-F School Ratings](#) | *Education Week*
- [The conservative push for “school choice” has had its most successful year ever](#) | *Vox*
- [Florida Expected to Approve Classical Exam as a Competitor to the SAT](#) | *The New York Times*
- [New Poll Shows Voters See Room for Improvement in School Boards](#) | *RealClearEducation*
- [Salesforce Foundation Grant to Train Teachers on AI](#) | *Government Technology*
- [Oklahoma follows Florida in allowing PragerU in schools](#) | *The Hill*

Take our Candidate Connection survey to reach voters in your district

Candidate Connection

Today, we're taking a look at responses from two candidates facing off on Nov. 7 in the nonpartisan general election for Cheyenne Mountain School District 12 Board of Education at-large in Colorado. Three seats are available, and five candidates are on the ballot.

Incumbent Susan Mellow, who assumed office in 2017, and challenger Betsy Kleiner are the only candidates who've completed the survey as of this writing.

Here's how Mellow answered the question, "**What areas of public policy are you personally passionate about?**"



"School Finance. Cheyenne Mountain is among the lowest in receipt of per pupil funding from the State of Colorado, and with the additional funding generously provided by our local taxpayers, the district has been able to keep per-pupil expenditures below the state average while providing excellent educational opportunities for our students. With possible changes to the school finance formula on the horizon, I intend to continue to advocate for fair funding from the state for Cheyenne Mountain. I will also continue to advocate for state and federal governments to fully fund requirements they place on our district.

School Safety/Mental Health. Needs in these areas have been increasing over time, and they work hand-in-hand. During my tenure on the Cheyenne Mountain Board of Education, in addition to maintaining a school resource officer at Cheyenne Mountain High School, we have moved from the use of a contract security team to a security team of district employees, allowing for the development of long-term relationships and invaluable institutional knowledge. We have also strengthened intergovernmental partnerships and communications to better handle any emergency. More students are presenting with mental health concerns, and we have consistently added more school psychologists and social workers to properly address student

needs. This landscape continues to change, and I support the district's efforts to continue to monitor and adjust as necessary."

Click [here](#) to read the rest of Mellow's responses.

Here's how Kleiner answered the question, "**What areas of public policy are you personally passionate about?**"



"Betsy shares our community vision to continue vigorous academic achievement and broad career opportunities for our students. She believes in clear communication and transparency and enjoys working in collaboration with other stakeholders to ensure creative solutions. She understands the power of listening, advocacy, kindness and compromise. Betsy is passionate about our community and our students and looks forward to serving as a member of our local Board of Education."

Click [here](#) to read the rest of Kleiner's responses.

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- On the issues: The debate over the Department of Education
- In your district: supporting students with special needs
- Share candidate endorsements with us!
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On the issues: The debate over the Department of Education

The existence and role of the U.S. Department of Education (DOE) have been topics of debate since Congress created the department in 1980. Recently, several Republican presidential candidates, including former President Donald Trump (R), said they would support abolishing the department. This week, we'll look at arguments for and against keeping the DOE.

Jacqueline Elliott writes that efforts to abolish the DOE are misguided. Elliot says the department has an important role in advancing equal opportunities in education, promoting programs that make American students more competitive internationally, and supporting state and local government educational initiatives.

Roger Simon writes that the DOE is unnecessary and should be eliminated. Simon says education should be handled as locally as possible and should not be subject to federal government control through regulations and conditional grants. He says federal education standards have harmed student learning.

Efforts to eliminate the Education Department are misguided | Jacqueline Elliott, *The Daily Press*

"There are multiple scholarly goals that easily fit into two categories. The first seeks to strengthen the federal commitment to equal educational opportunity for every individual. The second enables student achievement to prepare them for global competitiveness. It is crucial to understand that the agency supports our state and local educational initiatives. This includes public and private nonprofit research organizations and community-based agencies. ... It is time to seriously consider the drastic results of ill-meaning and power-hungry legislators. ... Our elected leaders need to understand that codification or elimination of a federal department that directly affects a majority of citizens within a district is not the last word regarding something as important as educating future generations."

For the Sake of Our Children, Abolish the Department of Education | Roger L. Simon, *The Epoch Times*

"I don't know if there's a more reactionary, superfluous arm of the U.S. government than the Department of Education. ... Education should always be done locally as far from Washington bureaucrats as humanly possible."

DE VOTING LOCALLY, AS FAR FROM WASHINGTON DULCAULADS AS HUMANLY POSSIBLE.

This local control should avail itself of charter schools and school choice (obviously), homeschooling, and every other form of education that people—largely parents—can devise for the better education of their children to prepare them and the country for the future. ... Money becomes an instrument of control, with the government withholding it if you don't go along with their diktats. ... The results of federal control of our children's education, any federal control—including the egregious Common Core—have been nothing short of horrendous."

In your district: supporting students with special needs

School districts face diverse issues and challenges. We want to hear what's happening in your school district. Please complete the very brief survey below—anonimously, if you prefer—and we may share your response with fellow subscribers in an upcoming newsletter.

How can districts best support and advocate for students with special needs or disabilities?

Click [here](#) to respond!

Share candidate endorsements with us!

As part of our goal to solve the [ballot information problem](#), Ballotpedia is gathering information about school board candidate endorsements. The ballot information gap widens the further down the ballot you go, and is worst for the more than 500,000 local offices nationwide, such as school boards or special districts. Endorsements can help voters know more about their candidates and what they stand for.

Do you know of an individual or group that has endorsed a candidate in your district?

Click [here](#) to respond!

School board update: filing deadlines, election results, and recall certifications

Ballotpedia has historically covered school board elections in about 500 of the country's largest districts. We're gradually expanding the number we cover with our eye on the more than 13,000 districts with elected school boards.

November elections

Nov. 7 is the biggest election date of the year, and voters across the country will decide state and local races—including for school boards (subscribe to our [Daily Brew](#) newsletter for Ballotpedia's coverage and analysis of elections up and down the ballot). Throughout the fall, we'll preview the most interesting and pivotal school board elections happening that day. Let's step back and take a look at the big picture.

We're covering school board elections in the following 16 states on Nov. 7:

School board elections on Nov. 7, 2023

This table shows the 16 states where Ballotpedia is covering school board elections on Nov. 7, 2023, and associated upcoming filing deadlines. Dates shaded in blue are upcoming.

State	Filing deadline
Colorado	September 1
Idaho	September 8
Iowa	September 21
Kansas	June 1
Kentucky	June 6
Minnesota	August 15
Mississippi	September 6
New Hampshire	July 21
New Jersey	July 31
New Mexico	August 29
North Carolina	July 21

Ohio	August 9
Pennsylvania	August 1
Texas	August 21
Virginia	June 13
Washington	May 19

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In seven of those states—Colorado, Kansas, Minnesota, Ohio, Pennsylvania, Virginia, and Washington—we are covering *all* school board elections on Nov. 7. We'll be bringing you detailed coverage of many of those elections.

Federal judge blocks California district's policy prohibiting officials and teachers from revealing students' gender identity to parents

In previous issues of this newsletter, we've offered contrasting perspectives on whether school officials and teachers should notify parents when their child publicly affirms a new gender identity (see [here](#) and [here](#), for recent arguments).

In California, the question has divided district board members, teachers, parents, state officials—and increasingly state and federal judges.

On Sept. 14, U.S. District Court for the Southern District of California Judge [Roger Benitez](#) issued an [injunction](#) against the [Escondido Union School District](#), temporarily blocking the district's 2022 policy prohibiting officials and teachers from alerting parents that their child may be using a new name or set of pronouns.

President [George W. Bush](#) (R) nominated Benitez to the Southern District court in 2003.

Under the policy, school employees cannot disclose a student's new gender identity when talking with parents, unless the student has first given their consent.

Escondido Union School District teachers Elizabeth Mirabelli and Lori Ann West sued the district in April, alleging the policy violates their rights to free speech and freedom of religion. Among others, the suit named all five members of the district board and the five members of the California Board of Education as defendants.

The Escondido Union School District responded to the lawsuit, saying its policy was rooted in the School Success and Opportunity Act (AB 1266), a state law enacted in 2013 allowing students in public schools to access facilities and participate in activities consistent with their gender identity. In a section of its website answering frequently asked questions about AB 1266, the California Department of Education states: “The right of transgender students to keep their transgender status private is grounded in California’s antidiscrimination laws as well as federal and state laws. Disclosing that a student is transgender without the student’s permission may violate California’s antidiscrimination law by increasing the student’s vulnerability to harassment and may violate the student’s right to privacy.”

Some districts have pushed back against the state Department of Education’s position on AB 1266. Since July, at least seven districts have passed parental notification policies requiring officials and teachers to notify parents when a student uses a new name or pronouns:

- Chino Valley Unified School District Board of Education voted 4-1 (July 20)
- Murrieta Valley Unified School District Board of Education voted 3-2 (Aug. 10)
- Temecula Valley Unified School District School Board voted 3-2 (Aug. 22)
- Anderson Union High School District School Board voted 4-1 (Aug. 22)
- Rocklin Unified School District School Board voted 4-1 (Sept. 7)
- Orange Unified School District Board of Trustees voted 4-0 (Sept. 7)
- Dry Creek Joint Elementary School District Board of Trustees voted 5-0 (Sept. 14)

As districts have adopted conflicting gender identity policies the last few months, state and federal judges have weighed in—but without settling on a legal consensus.

On Sept. 7, Superior Court of San Bernardino County Judge Thomas Garza blocked Chino Valley’s parental notification policy in response to California Attorney General Rob Bonta’s (D) lawsuit. Bonta said, “The forced outing policy wrongfully endangers the physical, mental, and emotional well-being of non-conforming students who look for accepting environment in the

being of non-conforming students who lack an accepting environment in the classroom and at home." A hearing is scheduled for Oct. 13.

Former Gov. Arnold Schwarzenegger (R) appointed Garza in 2007.

In July, U.S. District Court for the Eastern District of California Judge John Mendez dismissed a parent's challenge to the Chico Unified School District's policy of not disclosing a student's gender identity to parents. Mendez, whom Bush appointed to the court in 2007, wrote school officials "demonstrated a legitimate state interest in creating a zone of protection for transgender students and those questioning their gender identity from adverse hostile reactions, including, but not limited to, domestic abuse and bullying."

Extracurricular: education news from around the web

This section contains links to recent education-related articles from around the internet. If you know of a story we should be reading, reply to this email to share it with us!

- Chronic absenteeism has become a crisis | *Fordham Institute*
- 'We've lost our advantage on education': Democrats grasp for wins on public schools | *Politico*
- States Look to Social-Emotional Learning to Combat Student Misbehavior, Poor Mental Health | *Education Week*
- 2 Arkansas school districts deny claims that they broke a law on teaching race and sexuality | *NBC News*
- 74 Interview: Stanford Economist Eric Hanushek on COVID's Trillion-Dollar Impact on Students | *The 74*
- Opinion: People Don't Want to Be Teachers Anymore. Can You Blame Them? | *The New York Times*

Take our Candidate Connection survey to reach voters in your district



CANDIDATE CONNECTION

Everyone deserves to know their candidates. However, we know it can be hard for voters to find information about their candidates, especially for local offices such as school boards. That's why we created Candidate Connection—a survey designed to help candidates tell voters about their campaigns, their issues, and so much more.

In the 2022 election cycle, 6,087 candidates completed the survey. If you're a school board candidate or incumbent, click [here to take the survey](#).

The survey contains over 30 questions, and you can choose the ones you feel will best represent your views to voters. If you complete the survey, a box with your answers will display on your Ballotpedia profile. Your responses will also appear in our [sample ballot](#).

And if you're not running for school board, but there is an election in your community this year, [share the link with the candidates](#) and urge them to take the survey!

If you're a school board candidate or incumbent, click [here to take the survey](#).

Candidate canvass: survey responses from around the country

In this section, we feature school board candidate responses to surveys and questionnaires from political organizations, news outlets, or governments. Know of a survey or questionnaire in your area that we've missed? Reply to this email to share it with us!

Washington will hold school board general elections on Nov. 7. Washington is also [one of 10 states](#) in which we are covering school board elections in every district.

Today, we're going to take a look at two candidates running for the Director District No. 2 seat on the Bellevue School District No. 405 board of directors. The city of Bellevue sits on the other side of Lake Washington from Seattle. The excerpts we're featuring here come from the [King County Local Voters' Pamphlet](#). The pamphlet, which includes candidate statements, is mailed to registered voters in the county. The Kings County Elections office does not edit the candidate statements.

Three candidates ran in the Aug. 1 primary—incumbent Carolyn Watson, James VanRosmalen, and Ryan Sugden. Watson and Sugden advanced to the general election, with Watson having won 70.44% of the vote to Sugden's 17.32%. Watson and Sugden submitted their statements to King County Elections before the primary.

Carolyn Watson (first elected in 2019)



I am committed to providing the excellent education for which Bellevue is known and doing so in a manner that is equitable. I will continue my commitment to providing a holistic education that balances the academic as well as emotional and mental health needs of all our students, including the most marginalized, and those with special needs, whether visible or invisible. I began this commitment pre-pandemic and seek another term to continue to ensure our students not only do well but that they thrive. Having worked to select our incoming Superintendent, I look forward to collaborating with our educators and staff towards creative and innovative approaches and ideas.

Read Watson's full statement [here](#).

Ryan Sugden



Equity is an accounting term. It means ownership (as in, "How much equity do you have in your house?") I intend to give families in District Two ownership in their educational choices.

District Two includes Ardmore Elementary, where I serve on the PTSA. Ardmore is a community of families diverse economically, culturally, and linguistically. The whole Bellevue School District would benefit from hearing this community's voice on the board. I am running to amplify their voices.

Read Sugden's full statement [here](#).

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American politics and policy to our millions of readers. Your support in 2023 will allow us to continue our mission to build the most comprehensive coverage of the nation's rapidly changing political landscape.

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Ballotpedia's Hall Pass

Keeping you up to date on school board politics and education policy

Welcome to Hall Pass

September 27, 2023

Welcome to *Hall Pass*, a newsletter written to keep you plugged into the conversations driving school board politics and governance.

In today's edition, you'll find:

- On the issues: The debate over what counts as school library censorship
- In your district: supporting students with special needs
- Share candidate endorsements with us!
- School board filing deadlines, election results, and recall certifications
- North Carolina set to become eighth state in 2023 to provide all students with taxpayer funding for private education
- Extracurricular: education news from around the web
- Candidate Connection survey

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On the issues: The debate over what counts as school library censorship

In this section, we curate reporting, analysis, and commentary on the issues school board members deliberate when they set out to offer the best education possible in their district. Missed an issue? Click [here](#) to see the previous education debates we've covered.

Does limiting access to certain books in school libraries qualify as a form of censorship?

The staff at Pen America write that book bans occur when school administrators, under pressure from, say, government officials, parents, or community members, limit or remove access to books because of concerns about content. They argue that librarians and educators should curate the selection of library books on the basis of best practices and in ways that are content-neutral.

Max Eden and Jay P. Greene write that many examples of diminished school library material access do not amount to censorship since the books are often still available with restrictions. They also say that in cases where books are fully removed from library shelves, the materials are often not appropriate for school-aged children.

Book Bans: Frequently Asked Questions | Staff, *Pen America*

“Today, books are under profound attack in the U.S. ... And everywhere, it is the books that have long fought for a place on the shelf that are being targeted. Books by authors of color, by LGBTQ+ authors, by women. Books about racism, sexuality, gender, history.... PEN America defines a school book ban as any action taken against a book based on its content and as a result of parent or community challenges, administrative decisions, or in response to direct or threatened action by lawmakers or other governmental officials, that leads to a previously accessible book being either completely removed from availability to students, or where access to a book is restricted or diminished. Diminished access is a form of censorship and has educational implications that extend beyond a title’s removal. It is important to recognize that books available in schools, whether in a school or classroom library, or as part of a curriculum, were selected by librarians and educators as part of the educational offerings to students. Book bans undermine those choices and

educational offerings to students. Book bans occur when those choices are overridden by school boards, administrators, teachers, or politicians, on the basis of a particular book's content."

Don't Worry About 'Book Bans' | Max Eden and Jay P. Greene, *Education Week*

"But if you take a close look, you might come to the same conclusions we did: that this divisive debate has been manufactured for partisan purpose—both on the part of those pushing free expression and those pushing parents' rights—that most 'banned' books aren't really banned, and that when they are, it's mostly reasonable. The media keep on using the word 'banned.' But that word doesn't mean what you think it means. In common usage, banned means 'made unavailable.' But in this debate, a book can be both 'banned' and available to students. How? PEN America, the nonprofit whose data have formed a prominent basis of this public controversy, defines 'ban' quite expansively. If a book has been temporarily removed from shelves for review and then deemed acceptable and put back, it has been 'banned.' If a book is moved from a school library to a guidance counselor's office, it has been 'banned.' If parent permission is required, it has been 'banned.' If a book is moved from one section of a school library to a section for older students, it has been 'banned.' ... There's plenty to get worked up about and plenty that divides us. But so-called "book bans" shouldn't make the list."

In your district: supporting students with special needs

We recently asked readers the following question about supporting students with special needs:

How can districts best support and advocate for students with special needs or disabilities?

Thank you to all who responded. Today, we're sharing a handful of those responses. We'll return next month with another reader question. If you have ideas for a question you'd like to see us ask, reply to this email to let us know!
A school board member from Vermont wrote:

Hire support staff and give parents the option to choose out of their local school

A school board member from New Jersey wrote:

Follow the spirit of IDEA [Individuals with Disabilities Education Act], make it everybody's job to make sure every student receives an appropriate education and is provided the services and accommodations they need.

A school board member from Michigan wrote:

By implementing better IEP [Individualized Education Program]

A school board member from Illinois wrote:

you need to get to know the parents and the students and do what's best for the student not the school.

A community member from California wrote:

Special education resources are widely available to schools and students through internal and external certificated resources (NPAs [Nonpublic, Nonsectarian School], NPS [Nonpublic, Nonsectarian Agency], credentialed providers, etc.). The issue is that the funding available to schools to pay for these services is limited and schools are forced to minimize these necessary services to the lowest budgetary minimums while accommodating the needs they are mandated to provide. This is not serving the needs of the students in the best possible way, rather it ensures that the bare minimum is being provided. Even then, every school seems to be forced to encroach on funds that are earmarked for general education purposes in order to meet the mandated services. A reevaluation of earmarks for SPED services is necessary so that funding keeps pace with the rising costs of these services.

A school board member from Minnesota wrote:

Hire quality teachers who can develop a relationship with each and every student to help them thrive.

Share candidate endorsements with us!

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ballot information gap widens the further down the ballot you go, and is worst for the more than 500,000 local offices nationwide, such as school boards or special districts. Endorsements can help voters know more about their candidates and what they stand for.

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November elections

Nov. 7 is the biggest election date of the year, and voters across the country will decide state and local races—including for school boards (subscribe to our [Daily Brew](#) newsletter for Ballotpedia's coverage and analysis of elections up and down the ballot).

Beginning next week with the Oct. 4 edition of this newsletter, we'll bring you regular in-depth previews of the most interesting and pivotal Nov. 7 school board elections—including a look at the issues, candidates, endorsements, and campaign finance.

We're covering school board elections in the following 16 states on Nov. 7:

School board elections on Nov. 7, 2023

This table shows the 16 states where Ballotpedia is covering school board elections on Nov. 7, 2023, and associated filing deadlines.

State	Filing deadline
Colorado	September 1
Idaho	September 9

Iowa	September 6
Kansas	September 21
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Minnesota	June 6
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New Hampshire	September 6
New Jersey	July 21
New Mexico	July 31
North Carolina	August 29
Ohio	July 21
Pennsylvania	August 9
Texas	August 1
Virginia	August 21
Washington	June 13
	May 19

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In seven of those states—Colorado, Kansas, Minnesota, Ohio, Pennsylvania, Virginia, and Washington—we are covering *all* school board elections on Nov. 7. We'll be bringing you detailed coverage of many of those elections.

North Carolina set to become eighth state in 2023 to provide all students with taxpayer funding for private education

Seven states have enacted programs in 2023 allowing all or most K-12 students to receive taxpayer funding for private education options—and North Carolina will soon become the eighth.

On Sept. 22, Gov. Roy Cooper (D) announced that he would not sign or veto the state's \$30 billion budget, meaning that it will become law without his signature on Oct. 3. Included in the budget is an expansion of the state's Opportunity Scholarship program which provides taxpayer funding

for eligible students to use at participating private schools. The General Assembly enacted the program in 2013 but limited the tuition assistance to students from low-income families who had previously attended a public school for at least a year.

Under the current plan, in the 2023-2024 school year, a family of four with an annual income of no more than \$55,500 could receive \$6,492 per child. A family of four with an income of \$111,000 could receive up to 90% of the \$6,492.

The expanded program increases the amount students receive, eliminates the income limit, and removes the requirement that students attend public school for at least a year before applying. The amount of tuition assistance will still decline as household income rises.

Cooper opposed broadening the Opportunity Scholarship program but did not veto the budget so that a provision expanding Medicaid could take effect. Republicans control both chambers of the General Assembly and hold a veto-proof majority, meaning they could have overridden Cooper's veto. Cooper said, "Make no mistake, overall this is a bad budget that seriously shortchanges our schools, prioritizes power grabs, keeps shady backroom deals secret and blatantly violates the constitution, and many of its provisions will face legal action."

North Carolina has a divided government and is one of 29 states in which one party holds a veto-proof majority in both legislative chambers. Republicans have a 30-20 majority in the Senate and a 72-48 majority in the House. At a minimum, a party has to have a three-fifths majority in a chamber in North Carolina to override a gubernatorial veto—30 seats in the Senate and 72 seats in the House.

Republicans gained a veto-proof majority in the House on April 5, when state Rep. Tricia Cotham, who served as a Democrat in the state House from 2007 to 2017 and was elected to the chamber again in 2022, said she was joining the Republican Party.

Democratic lawmakers opposed expanding the Opportunity Scholarship program. State Sen. Gladys Robinson (D) said, "We're using public taxpayer money to subsidize private schools for wealthy people, and that's not because they asked for it but because you want to give it to them."

The Republican Party of North Carolina Chairman Michael Whatley said, "This

budget is a victory for families and businesses all across North Carolina. It cuts their taxes, leaving more money in their pockets, and expands educational freedom for families to seize the best opportunity for their children."

North Carolina joins seven other states this year that have expanded or enacted programs providing all or most students with taxpayer funding for private education options. Such programs come in a variety of forms, including Education Savings Accounts (ESAs), school vouchers, and tax-credit scholarships.

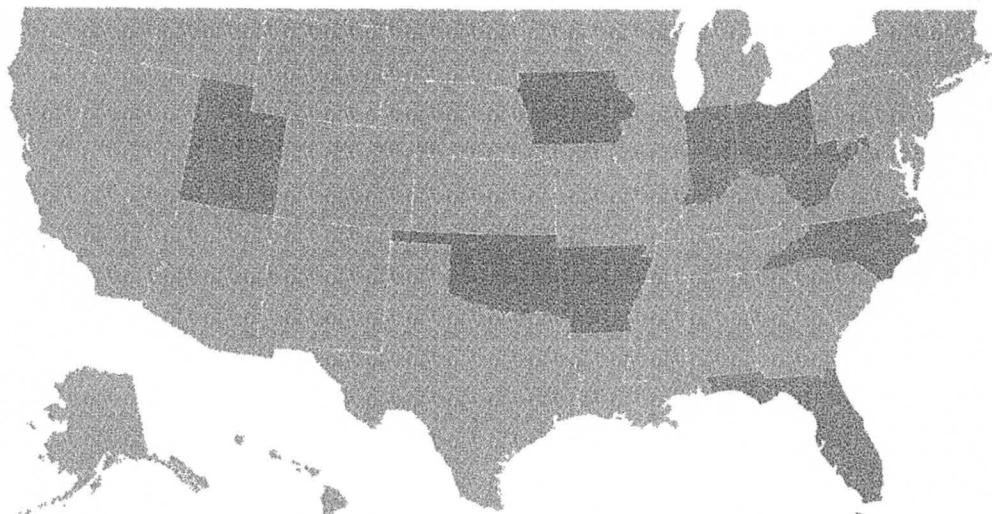
ESA programs give eligible students access to government-managed accounts funded with taxpayer money they can spend on a range of approved educational alternatives, such as private school tuition, tutoring services, and homeschooling supplies. Voucher programs pay for eligible students to attend private schools, though the money typically goes directly from the government to the school. Tax-credit scholarships come in a variety of forms, though they typically allow individuals and businesses to lower their tax burden by donating to scholarships that can be used at private schools.

All seven states that expanded their programs or enacted new ones this year have Republican trifectas.

- Iowa: Gov. Kim Reynolds (R) signed a law creating an ESA program on Jan. 24.
- Utah: Gov. Spencer Cox (R) signed a law creating an ESA program on Jan. 30. Utah has a Republican trifecta.
- Arkansas: Gov. Sarah Huckabee Sanders (R) signed a bill creating an Education Savings Account (ESA) program on March 8.
- Florida: Gov. Ron DeSantis (R) signed a bill expanding the state's Family Empowerment Scholarship program on March 27.
- Oklahoma: Gov. Kevin Stitt (R) signed a law creating a fully refundable education tax-credit program on May 25.
- Indiana: Gov. Eric Holcomb (R) signed a bill expanding its Indiana Choice Scholarship program on July 3.
- Ohio: Gov. Mike DeWine (R) signed a bill expanding the Educational Choice Scholarship program on July 4.

States that expanded or enacted programs in 2023 providing all or most students with taxpayer funding for private education options





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Overall, 10 states have programs allowing all or most students to use taxpayer funding for private education. [Arizona](#) expanded its ESA program to provide universal eligibility in July 2022. In October 2022, the Virginia Supreme Court [ruled](#) the state's ESA program, first enacted in 2021, was constitutional.

At least [31 states](#) have some form of program enabling eligible students to use taxpayer funding for private educational options. In the majority of states, programs are limited to low-income students or students with disabilities.

Texas Gov. Greg Abbott (R) has made enacting an ESA program a legislative priority in 2023, though the state House was [unable to agree](#) on the details of a policy before the session [ended on May 29](#). Abbott [said](#) he would call a special session in October to once again take up the ESA program.

Click [here](#) to learn more about state programs like ESAs, vouchers, and tax-credit scholarships.

Extracurricular: education news from around the web

This section contains links to recent education-related articles from around the internet. If you know of a story we should be reading, reply to this email to share it with us!

- [Parents who want Youngkin's transgender policies enacted sue the Virginia Beach school board](#) | *Associated Press*
- [Will AI end education as we know it? Economist predicts schools, teachers could become 'obsolete'](#) | *Fox News*
- [Schools Chancellor David Banks says New York City to take new approach to teaching kids to read](#) | *CBS*
- [Franklin County judge orders temporary restraining order to stop overhaul of Ohio K-12 education](#) | *Ohio Capital Journal*
- [State Laws Restricting Curriculum, Pronoun Use Cause Confusion and Chaos in Schools](#) | *Education Week*
- [At 13 Baltimore City high schools, zero students tested proficient on 2023 state math exam](#) | *Fox 45 Baltimore*
- [The Top Target For Ransomware? It's Now K-12 Schools](#) | *Forbes*

Candidate Connection survey

CANDIDATE CONNECTION

Today, we're taking a look at responses from two candidates facing off on Nov. 7 in the nonpartisan general election for [Academy School District 20](#) school board, At-large, in Colorado. Four candidates are running for the two seats on the ballot. Incumbents [Heather Cloninger](#) and [Will Temby](#) are the only candidates in this race who've completed the survey.

Both candidates were first elected in 2019.

Academy District 20, which includes the northern parts of Colorado Springs, is the 10th largest district in the state, with an enrollment of around 26,600 students.

Here's how Cloninger answered the question, "**Who do you look up to? Whose example would you like to follow, and why?**"

 "That's easy, my dad, Phil Armstrong. He was the one I've



looked up to my whole life. He was an elementary school teacher and principal my entire childhood and he retired after 40 years working in those roles. He was an amazing example of kindness, moral integrity, honesty, and so much more. His staff and co-workers saw him as a leader and as someone who was approachable and easy to come to in an emergency as well as for good advice. He loved working with children and has many children who think of him as “their teacher”, for life. My dad taught me so much over my lifetime. I’m grateful for the example he was to me, my sisters and my own children, as well as all those who knew him. He passed last year and many of his students attended the service.”

Click [here](#) to read the rest of Cloninger’s responses.

Here’s how Temby answered the question, “**Who do you look up to? Whose example would you like to follow, and why?**”



“My father, Bill Temby, shaped my life greatly. He was president of his high school class, served in General Patton’s 3rd Army in WWII, attended Harvard University and Harvard Medical School on the G.I. Bill, and raised with my mother five strong citizens of this nation.”

Everyone deserves to know their candidates. However, we know it can be hard for voters to find information about their candidates, especially for local offices such as school boards. That’s why we created Candidate Connection—a survey designed to help candidates tell voters about their campaigns, their issues, and so much more.

Click [here](#) to read the rest of Temby’s responses.

In the 2022 election cycle, 6,087 candidates completed the survey.

If you’re a school board candidate or incumbent, [click here to take the survey](#). And if you’re not running for school board, but there is an election in your community this year, [share the link with the candidates](#) and urge them to take the survey! If you’re a school board candidate or incumbent, [click here to take the survey](#).

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